

THE HONORABLE MAGISTRATE DAVID CHRISTEL

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MATTHEW R. RUTH,

Plaintiff,

v.

PATRICK Glebe, ET AL.....

CASE NO: 2:14-CV-01388-BHS-  
DWC

Tru To Send My LEGAL  
PROPERTY & PLACE FACILITY  
BAND ON STAFFORD CREEK &  
ORDER the 5 Grievance ban unconstitutional

The WOOD has a 5 Grievance ban that is denying me  
Access to the courts. Stafford Creek has been processing 5-grievances  
for one quarter of a year. There can be no legitimate policy  
to prevent me from filing serious Grievances. (Exhibit one,  
Two Grievances & a Grievance chart, denied for filing due to  
the unconstitutional 5-Grievance ban. I ask that this  
court rule that policy unconstitutional so I may access the  
courts.

Next, I mapped this issue out in my last Objections. Exhibit two, objections with 90-day letter threatening to destroy my legal property & personal property if I do not send \$75.00. In the second Amended Complaint I added the active interference claim of the defendants for the second time placing me in segregation & denying me my legal property. This has prejudiced my Traverse, Amended Complaint, two replies, and division one P.R. Still SCLC has not provided me my legal property. I am indigent, I am in close custody, I have no way to get \$75.00, it is like a million dollars. I am too poor to afford the postage of my legal property. This violates my constitutional rights to access the courts

Rights to access the courts & is Active interference, Stafford Creek can send my Property with the chain buses for free.

I did not & do not have either of the TRO responses from the AAG, so I could not reply to them. Stafford Creek prevented me from replying to my TROs.

I did not & still do not have my criminal habeas corpus legal property. This prevented me & still is from litigating my Active Habeas corpus. Without my legal property I cannot litigate this civil complaint, my Habeas corpus, or my Active PRP in Division one.

I ask that this court order Stafford Creek to send my legal property to me. I do not have \$75.00 & Stafford will destroy my legal property on July 4th because I am poor. This court



has a duty to protect me from being denied court access because I am poor. This court has a duty to order Stafford Creek to send my legal work. They can send it on the chain bus.

Next, due to all the Retaliation & Active interference inflicted upon me by Stafford Creek employees. I ask that this court order a separatee is placed on that facility, banning me from being sent back to SCC ever. My life was even threatened by ISIU. I should never have to go back to that horrible & unprofessional facility.

Date 6-1-16

  
Matthew R. Ruth, Prisoner Rights Activist

EXHIBIT  
ONE

SERIOUS GRIEVANCE ISSUES  
BANNED BY THE UNCONSTITUTIONAL  
5-GRIEVANCE POLICY.



LOG I.D. NUMBER  
16610240

OFFENDER COMPLAINT

CHECK ONE: ☒ Initial ☐ Emergency ☐ Appeal ☐ Rewrite

**RESIDENTIAL FACILITIES:** Send completed form to the Grievance Coordinator. Explain what happened, when, where, and who was involved or which policy/procedure is being grieved. Be as brief as possible, but include the necessary facts. Use only one complaint form. A formal grievance begins on the date the typed grievance forms are signed by the Coordinator. Contact a Department employee to report an emergency situation or to initiate an emergency complaint. Please attempt to resolve all complaints through the appropriate Department employee(s) before pursuing a grievance.

**NOTE:** Complaints must be filed within 20 working days of the incident. Appeals must be filed within 5 working days of receiving the response. Include log ID # on rewrite or response being appealed.

Last Name Roth	First Matthew	Middle R.	DOC Number 829442	Facility/Office WSP	Unit/Cell Fw 115-1
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**COMMUNITY SUPERVISION:** Send completed copies of this form directly to: Grievance Program Manager, Offender Grievance Program, Department of Corrections, P.O. Box 41129, Olympia WA 98504-1129.

MAILING ADDRESS: STREET OR P.O. BOX	CITY, STATE	ZIP CODE	TELEPHONE
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**COMPLAINT:** On 5-10-16 I was played on legal mail out/copies at the Law Library 12:40pm. I brought 3-envelops with me. There is no warning or policy that alerts me to the make up rule applied to me. C/O Miller searched me & made me throw away my legal envelopes I brought from store because my name was not on them. I had a pen & could put my name on them. C/O Miller called me a liar saying no legal mail is sent out from the Law Library. That is a lie. I informed the Sgt. in the Law Library. I have a verified deadline for 5-10-16. He told me that although there is no notice or policy to enforce their rule & that I cannot meet my deadline it is OK. I told him that is active interference with my right to access the courts per the 9th circuit & the US Supreme court. He threatened to send me back to the unit and told me not to tell him what the Law is. They are both unprofessional.

**SUGGESTED REMEDY:** The Sgt. & C/O Miller need educated on the code of ethics outlined in the WDOC employee Handbook Apr 18-21. Some type of notice needs to be given to us so we know these Mandatory (Give back my envelopes) 5-10-16 make up rules. Make record of this.

Mandatory

Signature

Date

**GRIEVANCE COORDINATOR**

Your complaint is being  
☐ It is not a grievable is  
☐ You requested to wit  
☐ You failed to respond  
☒ Administratively With  
☐ The formal grievance

Per page 26 of the Offender Grievance Program Manual:  
Offenders may not submit more than five (5) new complaints per calendar week or have more than 5 active grievances and/or appeals. If an offender exceeds those limits, the Grievance Coordinator will return all materials, explain the offender is over the limit, and list all active log ID numbers. You may withdraw one of the active grievance to pursue this one. This must occur by 6/8/16

Date Received

5/11/16

ed informally,  
l/or rewriting needed. (See  
ays or by: \_\_\_\_\_  
ility) on \_\_\_\_\_ (date).

**EXPLANATION:**

The envelopes must be pre addressed before taking them to the law library for mailing. Not addressed envelopes can become "payment" to other offenders.

See attached

Coordinator's Name (print)

J. AIYEKU

Coordinator's Signature

*[Signature]*

Date

5/16/16





LOG I.D. NUMBER

16611382

## OFFENDER COMPLAINT

CHECK ONE: ☒ Initial ☐ Emergency ☐ Appeal ☐ Rewrite

**RESIDENTIAL FACILITIES:** Send completed form to the Grievance Coordinator. Explain what happened, when, where, and who was involved or which policy/procedure is being grieved. Be as brief as possible, but include the necessary facts. Use only one complaint form. A formal grievance begins on the date the typed grievance forms are signed by the Coordinator. Contact a Department employee to report an emergency situation or to initiate an emergency complaint. Please attempt to resolve all complaints through the appropriate Department employee(s) before pursuing a grievance.

**NOTE:** Complaints must be filed within 20 working days of the incident. Appeals must be filed within 5 working days of receiving the response. Include log ID # on rewrite or response being appealed.

Last Name <b>RUTH</b>	First <b>MATTHEW</b>	Middle <b>R.</b>	DOC Number <b>879492</b>	Facility/Office <b>WSP</b>	Unit/Cell <b>Fw 118-1</b>
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**COMMUNITY SUPERVISION:** Send completed copies of this form directly to: Grievance Program Manager, Offender Grievance Program, Department of Corrections, P.O. Box 41129, Olympia WA 98504-1129.

MAILING ADDRESS: STREET OR P.O. BOX	CITY, STATE	ZIP CODE	TELEPHONE
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**COMPLAINT:** THE BOOTH OFFICERS DO NOT TAKE INTO CONSIDERATION THAT I GO TO SCHOOL FROM 1-4, M-F, WHEN MAKING THE JPAY LIST. IN FOX UNIT WE ONLY GET TO USE THE JPAY EVERY OTHER DAY. WE CANNOT USE THE JPAY W/ DATA CABLE DURING DAYROOM. SO, I ONLY GET TO USE JPAY ONCE EVERY FOUR DAYS. SINCE I GO TO SCHOOL I AM GETTING PUNISHED. IF I DID NOT PROGRAM I COULD USE THE JPAY. I EVEN MISS YARDS BECAUSE OF SCHOOL. THE BOOTH OFFICERS ARE NOT EVEN CONSISTENTLY RUNNING THE JPAY LIST. SOMETIMES, MOST TIMES, IN A 15 HOUR PERIOD THEY DO NOT GET TO EVERYBODY. THIS IS MATHEMATICALLY IMPOSSIBLE. THEY ARE LAZY & SLOTT OFF. SOMETIMES THE SAME CELLS GET CALLED TWICE.

**SUGGESTED REMEDY:** THE BOOTH OFFICERS SHOULD TAKE INTO CONSIDERATION PROGRAMMING WHEN MAKING THE LIST. WE SHOULD BE ABLE TO USE THE DATA CABLES DURING DAYROOM. THE BOOTH OFFICERS SHOULD GET TO EVERYBODY IN 15 HOURS.

Mandatory

Signature

Date

## GRIEVANCE COORDINATOR'S RESPONSE

Your complaint is being returned because:

- ☐ It is not a grievable issue.  
☐ You requested to withdraw the complaint.  
☐ You failed to respond to callout (sheet) on \_\_\_\_\_.  
☐ Administratively Withdrawn \_\_\_\_\_.  
☐ The formal grievance/appeal paperwork is being prepared.

Facility/Office

WSP

Date Received

5-31-16

- ☐ The complaint was resolved informally.  
☐ Additional information and/or rewriting needed. (See below.)  
 Return within 5 working days or by: \_\_\_\_\_  
☐ No rewrite received \_\_\_\_\_  
☐ Sent to \_\_\_\_\_ (facility) on \_\_\_\_\_ (date).

## EXPLANATION:

Per page 26 of the Offender Grievance Program Manual: Offenders may not submit more than five (5) new complaints per calendar week or have more than 5 active grievances and/or appeals. If an offender exceeds those limits, the Grievance Coordinator will return all materials, explain the offender is over the limit, and list all active log ID numbers. You may withdraw one of the active grievance to pursue this one. This must occur by

6/22/16

See attached

Coordinator's Name (print)

J. AIYERU

Coordinator's Signature

Date

6/2/16

**Inmate: RUTH, Matthew Robert (879492)**

Gender: Male	DOB: 12/09/1979	Age: 36	Category: Regular Inmate	Body Status: Active Inmate
RLC: MOD	Wrap-Around: No	Comm. Concern: No	Custody Level: Close	Location: WSP-Main — UNF / FW1181
ERD: 12/01/2021				CC/CCO: Mclaughlin, Cory F

Log ID	Action Date	Area	Specific	Resolution	Level	Closure Date
16607425	05/10/2016	LEGAL LIBRARY	MAIL-LEGAL	REWRITE	Level 2	
16606821	04/28/2016	IMU	LEGAL ISSUES		Level 2	
16606819	04/28/2016	IMU	PHOTOCOPYING		Level 2	
16606816	04/28/2016	LEGAL LIBRARY	LEGAL ISSUES		Level 2	
16606814	04/28/2016	SEG	LEGAL ISSUES		Level 2	



EXHIBIT

~~TWO~~

Objections with  
material facts to  
TRO & 90-day letter

THE MOST HONORABLE  
BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MATTHEW R. RUTH,  
Plaintiff,

v.

PATRICK GLEBE, et al.

Case No. 2:14-cv-01388-BHS-DWC

OBJECTION TO MAGISTRATE  
CHRISTIE'S ORDER DIRECTING  
PLAINTIFF TO FILE AMENDED COMPLAINT  
AND DENYING MOTION TO SUPPLEMENT  
(Request new Magistrate be appointed)

I am now in walla-walla, close custody, west complex  
box west 118-1. This is just like being in segregation.

I have to write this on letter paper because I  
am not being provided plain typing paper. I am not  
allowed a bic pen, so I must write this with a  
flimsy small segregation pen. This facility does

Not allow Regular Pens, or Toothbrushes because  
wmate make shanks with them. I have been here  
almost Two-weeks and was just Given the Magistrate's  
Two orders dated 4-19-16 & 4-20-16, I  
object to both. I was just given my Chain Boxes.  
Most of my Legal work is being held at Stafford  
Creek Corrections Center because they want me  
to send them \$75.00 to ship it here to  
walla-walla. I am indigent and have No Job, if  
I do Not send the money they will Destroy my  
Legal work. (Exhibit one 90 day Notice). In  
Fact, magistrate Christel has given me  
until May 10th to Reply to the first  
TRO Response, but I do Not have that



THE RESPONSE TO REPLY TO, IT IS A +  
STAFFORD CREEK. WITH MY HABEAS CORPUS LEGAL  
WORK AND THE REST OF THIS CIVIL LEGAL PAPERS,  
EXHIBITS, ETC.... IN FACT I HAD THE 2nd AMENDED  
COMPLAINT MOSTLY TYPED UP BEFORE THE 3-6-16  
SEGREGATION INCIDENT, IT IS STILL IN THE STAFFORD  
PROPERTY. CHAIN BUSES LEAVE STAFFORD EVERY  
MONDAY TO SHELTON, AND FROM SHELTON EVERY  
WEDNESDAY. THIS COURT SHOULD ORDER THEM  
TO SEND MY LEGAL PROPERTY ON THE  
CHAIN BUS IF THEY ARE NOT GOING TO GIVE  
IT TO ME BECAUSE I DO NOT, AND WILL NOT  
HAVE \$75.00. I CANNOT MEET THE MAY 10th  
DEADLINE. I WAS JUST GIVEN AN 8 DIBBLES

Response to My Second TRU, although, they  
 Made me sign for it on the chain BUS  
 on 4-4-16. I did Not get it until 4-29-16.  
 I had no access to ANY of My legal Property  
 from 3-29-16 until 4-29-16. I am on the Law  
 Library list for 5-3-16, the first time I have had  
 Law Library access since 3-5-16, despite My  
 best efforts.

### OBJECTIONS TO ORDERS TO FILE AMENDED COMPLAINT

This is the second Amended Complaint, the  
 first was ordered by the court, the second  
 I got Permission to file to add the  
 new claims stemming from the Brutal

Retaliation of the New Superintendent § 87(2)(b).  
 4 of 15

this court may remember a U.A. was falsified as dirty against me & I was placed with no justification on no pen, paper, and book restrictions in seg. making me miss legal deadlines, all out of retaliation for exercising my constitutional rights. This court gave me UNTIL 3-21-16 to meet the second amended complaint deadline.

Everyday the defendants saw me work on the amended complaint & my traverse. Then on 3-6-16 I was set up and placed in seg again and then transferred here to closed custody walla-walla out of pure retaliation & active interference.



The Magistrate Judge's Facts are an objectively unreasonable determination of the facts & contrary to clearly established Federal Law & this most Honorable Judge Settle should reject the order directing me to re-file my second Amended Complaint and allow for filing the Complaint I already filed. My second Amended Complaint is 45 not 47 pages.

The magistrate incorrectly claims only 2 pages of my 275 page filing deal with my legal claims, and do not link defendants to alleged constitutional violations. What? This makes no sense. First of all pages 1-18 are exactly the same from the first 22 page Amended Complaint.

Please read Pages 1-2, I list all constitutional Amendments & doctrines violated, the Pages 3-45 I show what each defendant did, how it violated my specific constitutional rights, and what prejudice ensued. This court accepted the first 22 page Amended complaint, what is different now?

In fact half of Page 19 is from the ~~first~~ Amended complaint. The only difference starts on Page 19, under the Heading:  
"Amended COMPLAINT & DEFENDANTS"

From page 19 to 45 I list exactly what each defendant did, what rights were violated, how the action is connected to my rights, and what injury was suffered.

The magistrate Judge IS 100% wrong,  
my legal claims are not merely two pages  
of my complaint.

Next, the magistrate takes issue with my retaliation  
claim regarding my marriage application not  
being processed. This was already accepted  
and set for pretrial setting, and the  
AAG filed an answer on this, in the first  
amended complaint. This claim IS not new!  
It IS a clear cut Retaliation claim against  
the Defendants. They refused to treat me  
like other offenders in DOC Policy 500.100 &  
500.200 by processing my application, although,  
I met all requirements, this was done out  
8 of 13



Pure retaliation because me & ms. Kain  
Exercised our 1st Amendment Rights against  
the defendants, organizing, appealing, and filing  
this law suit. The defendants are especially  
upset about our success in social media lately  
about the Department of Corruption.

I do not know how Magistrate Christel  
is just now recognizing the retaliation / marriage  
claim? I do not even understand why she  
mentioned it, especially, why did Magistrate  
Christel mischaracterize the claim? The  
Magistrate also confutes my motion for  
extension with my amended complaint and  
talks down to a Pro Se inmate. see page 3.

Judge Christel is clearly biased towards me and I ask that a new magistrate is appointed to my case. If Judge Christel has such a hard time understanding my claims, then this means I do not have the ability to articulate my claims & she should have appointed me counsel.

Next, magistrate Christel alleges that for those reasons I have not complied with FRCP 8, but in fact I have. These issues are complex and are as concise and direct as I know how to make them, I am not an attorney.

Next, Magistrate Christel even ordered me to not include exhibits in my complaint. This is wrong. I have a right to add exhibits to my complaint, and this court never said anything about it before. She claims I can only present evidence in response to dispositive motions filed by the defendants. This is wrong, contrary to clearly established law.

Next, Magistrate Christel states the court will screen the 3rd amended complaint to determine whether it contains factual allegations linking each defendant to the alleged violation. Magistrate Christel

11 of 15



Failed to see that I clearly did this  
in the 2nd Amended Complaint, so how is  
me re-writing it a third time going to be  
any different? Magistrate Christel is just  
prejudiced & biased against Pro Se inmates  
suing WDOC. Magistrate Christel is  
looking to dismiss my serious & factual  
complaint.

Next, my 1st Amended Complaint exceeded  
20 pages. However, now for some reason Magistrate  
Christel takes exception. I ask that Judge  
SETTLE allows me to file the 45 Page  
Amended Complaint, there is good cause, the  
extreme & violent retaliation lasted for  
12 of 15

Four years at Stafford Creek & there  
 is no way possible for me to fit all of  
 it in 20 pages. Please allow the 45 page  
 complaint. I have no access to a type  
 writer. I am left handed. I have to use  
 the same flimsy seg. pen. I do not even  
 have access to plain white paper as of  
 now.

Next, the magistrate denied my supplement w/ exhibits.  
 I am in prison & the grievances for exhaustion &  
 other evidence flows in at different times. Plus,  
 the nature of the retaliation at Stafford Creek  
 was that the defendants kept retaliating &  
 actively interfering with my rights & legal access.

Sore was so severe that I have to document  
 it & file new exhibits proving my claims.  
 I have more right now proving defendant  
 Martinez's retaliation & that J. Thompson and  
 Cos Jolly are liars who lied to this  
 court & MS. Dfbb/e. I do not see why  
 I cannot file it, the court accepted  
 this type of supplement in the past.


### CONCLUSION

Please allow my second Amended Complaint  
 To be filed; order Stafford Creek to send me my  
 Property; give me more time to file the TRO  
 Reply, starting from when I get my Property;  
 Appoint a new fair & unbiased magistrate.



Respectfully submitted,

THIS second day of MAY 2016

  
Matthew R. Ruth, Prose

Washington state Penitentiary  
1313 NE 13th  
Walla-Walla WA 99362

P.S. J. THOMPSON & S. BROWN did both  
mess up the filing of my Traverse  
to the SEATTLE DIVISION. Maybe this  
was done to my Amended Complaint?  
I do not think so because it came  
Back in order & KRISTINE A. HAIN  
Read it on the internet. The Traverse  
was all out of order & intentionally  
messed up. KRISTINE said she read  
the 2ed Amended Complaint.

EXHIBIT  
ONE



STATE OF WASHINGTON  
**DEPARTMENT OF CORRECTIONS**  
OFFICE OF CORRECTIONAL OPERATIONS  
**STAFFORD CREEK CORRECTIONS CENTER**  
191 Constantine Way, MS WA-39 - Aberdeen, Washington 98520  
(360) 537-1800  
FAX: (360) 537-1807

To: *Ruth*

DOC *879492*

Date: *3-31-16*

**RE: 90 Day Notice**

The Stafford Creek Correction Center Property Room is currently storing personal property for you.

If you want this property mailed to you, send a money order or cashiers check for the amount of \$ *75.00* to the address below.

If you do not contact the Stafford Creek Corrections Center Property Room, your property will be donated or destroyed 90 days after the date of this notice. Please put Postage Account Only on the money order.

Stafford Creek Correction Center  
**Attn: Property Room Sergeant**  
191 Constantine Way  
Aberdeen, WA 98520

**NO FURTHER NOTICE WILL BE GIVEN**

Sincerely,

Property Staff  
SCCC

Cc: Offender File  
Office File

X

\_\_\_\_\_